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U.S. SPY HUNTERS AND HOW THEY BECOME MORE EFFECTIVE
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WASHINGTON

U.S. counterintelligence experts say the arrest of 24 people on espionage charges in the past two years shows the FBI, CIA and Justice Department have put aside old rivalries to use new tools for hunting down spies in this country.

They believe better trained and more experienced FBI investigators and Justice prosecutors are the keys to the spate of spy arrests, rather than a large increase in the number of spies. Also, they are using new tools, such as radio transmitters with scramblers, and exotic techniques such as spy swaps.

"Success breeds success," John L. Martin, the top U.S. spy hunter, told The Associated Press. "The CIA and the FBI have been learning right along with us at the Justice Department over the past 10 years how to effectively prosecute spies while maintaining secrets."

With each conviction, government workers, defense contractors and the general public become more vigilant to possible spies around them.

Neither CIA sources nor Assistant FBI Director Jim Gear, who heads the FBI's intelligence division, see a large increase in foreign intelligence officers in the United States under cover of diplomatic jobs.

But U.S. intelligence officials _ including Martin and Assistant Attorney General Stephen Trott, who heads Justice's criminal division _ believe there are more spies in the last five to 10 years when businessmen and trade delegations are included.

This type of spy is free to travel and meet U.S. businessmen in an effort to steal or smuggle out U.S. high technology. When caught, they usually are charged with export control violations rather than espionage.

"Of course, there's no way to prove there are more," Trott noted.

A former FBI counterterrorism agent, Martin, 48, has supervised spy cases as a Justice lawyer for 12 years and has headed the internal security section since 1980. He has been at the center of the action during the dramatic turnaround in espionage during the last decade, and is in charge of catching and convicting spies here.

Between 1966 and 1977, there were no successful espionage prosecutions. But in the last 10 years, 47 people have been charged with espionage and virtually all the cases that have been resolved have resulted in convictions or guilty pleas.

A record 14 arrests came in 1984; there have been 10 so far in 1985.

"Before 10 years ago, we didn't turn them, we didn't trade them and we didn't try them," Martin said. "A lot of guys were let go. Not many cases were brought, and those were lost or reversed on appeal."

The first change came during the Carter administration when Griffin Bell was attorney general. The Carter team added legal weapons: the Foreign Intelligence Surveillance Act and the Classified Information Procedures Act.

The first law helped double the legal wiretaps for intelligence gathering, information that can be used in criminal trials.

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This law allows the FBI to legally tap the telephones of Soviet consulates here. Thomas P. Cavanagh, a financially strapped former Northrop Corp. engineer, called the Soviet consulate in San Francisco to peddle Stealth bomber technology, but FBI agents eavesdropped and called back to arrange a meeting in which they posed as Soviets. Subsequently, Cavanagh confessed and was sentenced to life in prison May 13. Martin called that case "a neat trick."

The second law allows judges to decide in a closed hearing which secrets a defendant really needs to disclose to get a fair trial. This helps stop defendants from "greymailing" the government into dropping prosecution for fear of additional disclosures.

"We can still have our cake and eat it too," Trott said. Trott's deputy Mark Richard added, "We can predict and control the level of disclosure."

Finally, the Reagan administration added money for personnel and equipment. The FBI's Gear said, "In the last three or four years, we've seen about a 25 percent increase in the amount of resources devoted to foreign counterintelligence."

To aid in surveillance, the FBI got its first car radios with scramblers so the Soviet KGB can no longer listen in.

Martin recalled that, a decade ago, prosecutions were avoided because the intelligence agencies thought a prosecuted spy would refuse to help assess the damage he did. And they thought foreign nations would retaliate by throwing U.S. spies and their sources into brutal foreign prisons, Martin said.

"We are attuned to their needs now," Martin said. "When we have a plea bargain, we insist the defendant agree to full cooperation with a damage assessment. After conviction at trial, we approach defendants before sentencing with another offer based on their full cooperation."

"And we have shown that we can trade spies after conviction," said Martin who personally arranged the return of four Communist Bloc spies in Germany on June 11 of this year for "25 of our people, including families."

On Monday, Martin arranged to swap one man back to Ghana for eight people and their families who allegedly helped the CIA there.

Gear points out, though, that the United States is not going to swap a U.S. citizen convicted of espionage.

Martin acknowledges help from events beyond government control, such as the decision by the estranged wife of retired Navy communications expert John A. Walker to turn him in years after she learned of his spying. Walker pleaded guilty last month to spying for the Soviets for 18 years.

"But no matter where the tip comes from, competence and skill are required for a successful arrest and conviction," Martin noted.

And when reminded that the CIA a year ago did not inform the FBI that Edward Howard had said he was thinking of selling secrets to the Soviets or that Howard managed to elude the FBI and escape to Finland, Martin simply replied: "We haven't stopped making mistakes."